Application No. 10/561,539 Amendment dated September 22, 2009 First Preliminary Amendment

REMARKS

Docket No.: 80319(302753)

Claims 9-16 are pending in this application, of which claims 9, 11 and 15 have been amended. No new claims have been added.

Claim 9 stands rejected under 35 U.S.C. §112, second paragraph, as indefinite.

Accordingly, claim 9 has been amended to correct the noted instances of indefiniteness, and the 35 U.S.C. §112, second paragraph, rejection should be withdrawn.

Claims 9-16 stand rejected under 35 U.S.C. §102(b) as anticipated by U.S. Patent 5,890,270 to Oetiker (hereinafter "Oetiker").

Applicants respectfully traverse this rejection.

Oetiker discloses an apparatus for installing clamping rings. A machine fastens a compression ring on an object to be fastened by shrinking the ring in which segmental actuating slide members are movable within a housing along circular paths with a constant radius about a center, and in which segments on the inside of the slide members are operable to move a limited distance in the radial direction; the segmental slide members are provided with internal surface portions of non-constant radial distance from a center, and the segments are provided with surface portions for abutment with the non-concentric surface portions on the inside of the slide members; an actuating mechanism operatively connected with the slide members causes the latter to close and thereby forces the segments to reduce the inside diametric dimension thereof which in turn causes compression of a shrink-ring held thereat.

The Examiner urges that **Oetiker** discloses a securing means in column 7, lines 8-9.

Applicants respectfully disagree. <u>Oetiker</u> discloses the pivot plates 50 being provided with two bores 51 corresponding to bores 52 in segmental slide members 20

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and 20' to fasten these three parts together with screws and nuts or the like. <u>Oetiker</u> merely teaches to use screws and nuts to secure the parts.

Oetiker fails to disclose a hooking mechanism that hooks the ring, the hooking mechanism having a claw member abutting on an edge face on one side of the ring on the side of the substrate and also having a movable claw member abutting on an edge face on the other side of the ring on the tip side of the specific pressing member, as recited in claim 11. Accordingly, this limitation has been deleted from claim 11 and added to claim 9, from which claim 11 depends. This limitation has also been added to independent claim 15.

Thus, the 35 U.S.C. §102(b) rejection should be withdrawn and the claims, as amended, are in condition for further examination.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1105.

Dated: September 22, 2009 Respectfully submitted,

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